

UNITED STATES DISTRICT COURT

Southern District of New York

GEORGE E. BRAUN, JR. and ELLEN C. BRAUN
Plaintiffs

JAMESTOWN BOAT YARD, INC.,
V.
Defendant

CASE NUMBER:

08 CIV 6103 (BSJ)

SUMMONS IN A CIVIL ACTION

ECF CASE

TO: (Name and address of Defendant)

Jamestown Boat Yard, Inc.
60 Racquet Road
Jamestown, RI 02835

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

The Law Office of Donald T. Rave
11 The Plaza
Locust Valley, New York 11560
516-671-1295

an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

J. MICHAEL McMAHON

CLERK

(By) DEPUTY CLERK

[Signature]

DATE

JUL 02 2008

pd

Elite Process Servers, Inc. * 88-08 Little Neck Parkway, Floral Park, NY 11001

NP

Server

Sworn to before me on

To my best knowledge, information and belief the said defendant at the time of service was not engaged in military service of the United States. At time of service the index number and date of filing were on the 10 DAY NOTICE OF CANCELLATION OF LEASE

☒ Male ☐ Female
☒ White Skin ☐ Black Skin ☐ Brown Hair ☐ Black Hair
☒ Brown Skin ☐ Gray Hair ☒ 51-65 Yrs. ☐ 51-65 Yrs.
☐ Red Skin ☐ Red Hair ☐ Over 65 Yrs. ☒ Over 6"
☐ Under 100 Lbs. ☐ 100-130 Lbs. ☐ 131-160 Lbs. ☒ 161-200 Lbs.
☐ Under 5' ☐ 5'0"-5'3" ☐ 5'4"-5'8" ☒ 5'9"-6'0" ☐ Over 6'

☐ Description

A true copy thereof was also deposited on _____ in a postpaid, properly addressed envelope, to the above address, bearing the legend "Personal and Confidential", in an official depository under the exclusive care and custody of the United States Postal Service.

☐ Mail

By affixing a true copy thereof to the door of said premises, which is recipients' [] dwelling place [] usual place of abode [] place of business within the State of New York. Deponent was unable, with due diligence to find recipient or a person of suitable age and discretion, thereat, having called thereon:

☐ Affixing to Door

By delivering to and leaving with _____ a true copy thereof, a person of suitable age and discretion. Said premises being the recipients' [] dwelling place [] usual place of abode [] place of business within the State of New York.

☐ Responsible Person

By delivering to and leaving with _____ who stated ☒ he ☐ she was authorized to accept on behalf of said corporation. _____ served to be the described therein. By delivering a true copy thereof to said recipient personally; deponent knew the person so

☒ Corporation

☐ Individual

being duly sworn, deposes and says that deponent is over 18 years of age and not a party to this action; that on, _____ at approximately 15:46 at 60 RACQUET RD, JAMESTOWN, RI 02835 deponent served the 10 DAY NOTICE OF CANCELLATION OF LEASE annexed on JAMESTOWN BOAT YARD, INC., in the following manner:

State of Rhode Island, County of Newport ss: _____

Defendant(s)

JAMESTOWN BOAT YARD, INC.,

- VS. -

Plaintiff(s)

GEORGE E. BRAUN, JR & ELLEN C. BRAUN

INDEX NO: 6103/08
EPS NO: 604654

COURT: U.S. DISTRICT COURT, SOUTHERN DIST.
COUNTY: NEW YORK

AFFIDAVIT OF SERVICE



631884

RETURN OF SERVICE	
Service of the Summons and complaint was made by me ⁽¹⁾	DATE <u>7/24/08</u>
NAME OF SERVER (PRINT) <u>MICHAEL CAIRNS</u>	
TITLE <u>CONSTABLE</u>	
(Check one box below to indicate appropriate method of service)	
<input type="checkbox"/> Served personally upon the defendant. Place where served:	
<input checked="" type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.	
Name of person with whom the summons and complaint were left: <u>6'8"</u>	
<input type="checkbox"/> Returned unexecuted:	
<input type="checkbox"/> Other (specify):	
STATEMENT OF SERVICE FEES	
TRAVEL	TOTAL \$0.00
DECLARATION OF SERVER	
I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.	
Executed on <u>7/24/08</u>	Signature of Server <u>Michael Cairns</u>
Address of Server <u>PO Box 744 Gouveney RI 02816</u>	

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.